

Sumter City-County Planning Commission

March 28, 2012

SV-12-02, McQuiller St. (County)

I. THE REQUEST

Applicant: Lucius Buckman

Status of the Applicant: Property Owner

Request: Approval of the relationship for lifetime family transfer.

Location: 4740 McQuiller St.

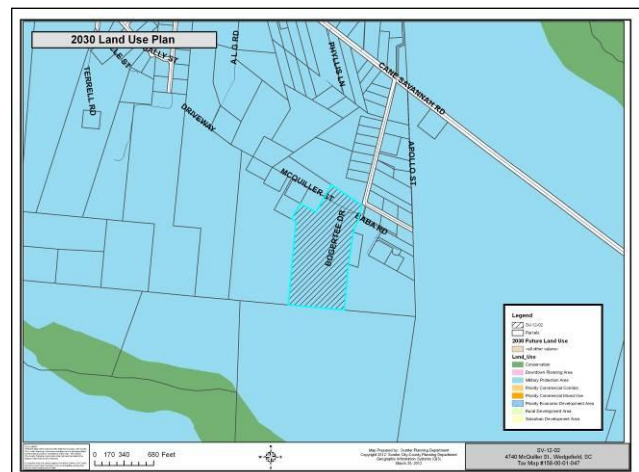
Present Use/Zoning: Residential / Agricultural Conservation (AC)

Tax Map Number: TMS#158-00-01-047

Adjacent Property Land Use and Zoning: North – Residential / AC
South – Vacant / AC
East – Residential / AC
West – Vacant / AC

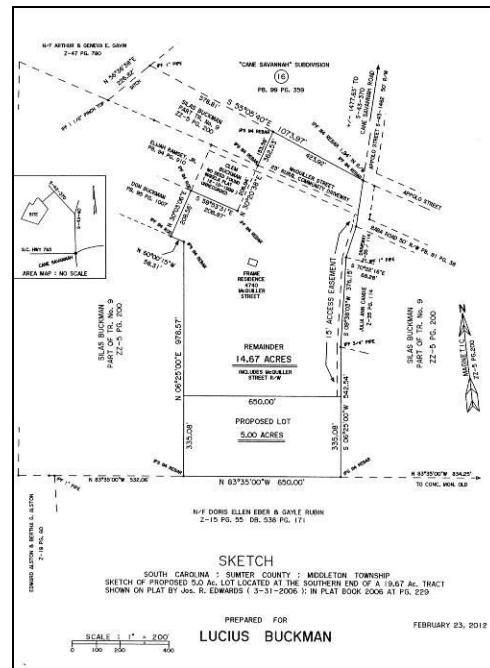
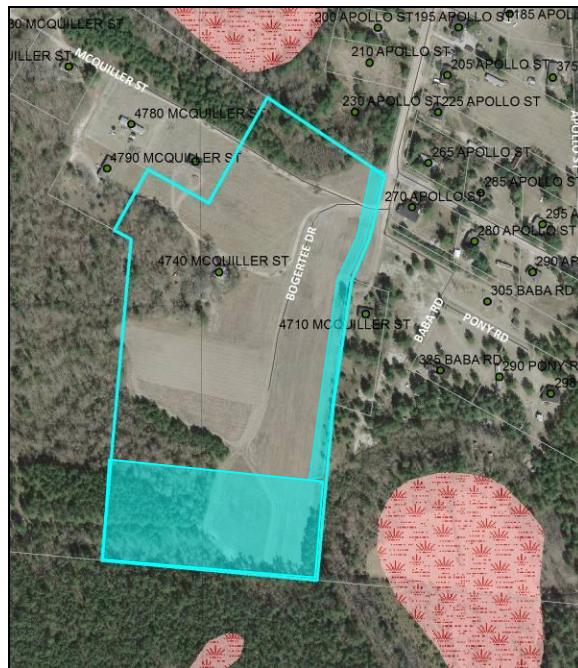
II. THE 2030 COMPREHENSIVE PLAN:

The 2030 Comprehensive Plan designates this parcel as Military Protection Area (MP). This district does not support higher residential density. Therefore, the applicant's request is not compatible with the 2030 Comp Plan.



III. BACKGROUND

The applicant owns a +/- 19.5 acre piece of property. The owner of the property, Lucius Buckman, wants to divide the property and give 5 acres to his cousin's son's brother-in-law by lifetime family transfer. According to the Sumter County Zoning Ordinance, lifetime family transfers are only permitted from a parent to child or grandparent to grandchild; all other relationships must be approved by Planning Commission for the purpose of conveyance.



The proposed division of the parcel would be similar to the diagram shown (**above right**). The property would be conveyed from Lucius Buckman to Stacy Hill, who is a distant relative-in-law.

Article 10, Section B. of the Sumter County Zoning Ordinance states that an exempt subdivision is one which meets the following condition: A lifetime transfer or conveyance from parent to child or grandparent to grandchild is permitted, and any other family relationships requesting to use this provision must be reviewed and approved by

the Planning Commission. The intent of the ordinance is to allow families to divide land in such a manner that large tracts remain under ownership of the *immediate* family unit.

IV. ENVIRONMENTAL CONDITIONS

There are no floodplain or wetland conditions indicated on this parcel.

V. STAFF RECOMMENDATION

Staff researched the recommendations for similar cases from the last 3 years and cites the following information:

Case Number	Relationship	Recommendation	Result
SV-09-06	Siblings	Approval	Withdrawn
SV-09-07	Brothers in Law	Approval	Approved
SV-10-05	Cousins	Approval	Postponed
SV-10-06	Siblings	Approval	Approved
SV-11-01	Cousins	Approval	Approved
SV-11-02	Siblings	Approval	Approved
SV-11-06	Uncle to Nephew	Approval	Approved
SV-11-07	Siblings	Approval	Approved
SV-11-08	Uncle to Niece	Approval	Approved
SV-11-11	Siblings	Approval	Approved

The chart above shows consistent recommendation of approval in such circumstances because the family relationship is close enough to warrant the request. This request is for a lifetime transfer to a distant family member by marriage – the applicant’s cousin’s son’s brother in law.

Staff recommends denial of this request. The division of the land does not satisfy the goals of the 2030 Comprehensive Plan, and the intent of the ordinance is that lifetime family transfers are for division of properties among close family members.

VI. PLANNING COMMISSION – MARCH 28, 2012

The Sumter City-County Planning Commission at its meeting on Wednesday, March 28, 2012, voted to deny this request for approval of relationship for family lifetime transfer.